

Minutes  
Regular Session  
Breckenridge City Commission  
June 6, 2017 – 5:30 P.M.  
Breckenridge City Offices Commission Chambers  
105 North Rose Avenue  
Breckenridge, Texas 76424

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**Those Present:** Jimmy McKay, Mayor; Tom Cyprian, Commissioner; Russell Blue, Commissioner; David Wimberley, Commissioner; Rob Durham, Commissioner; Andy McCuiston, City Manager; Heather Robertson-Caraway, City Secretary; Houston Satterwhite, Public Works Director; Stacy Harrison, Public Services Director; Calvin Chaney, Fire Chief; Brother Ortho Noggle; Sage Diller, e-HT; Colden Rich, e-HT; Lisa Echols; Diana Patterson; Mackenzie Harris; Braxton Post; Cody Ovillon; Brian Valenzuela; Elyssa Glick; Lorynne Benavides, Breckenridge American; Ray Grothaus, Republic Services; Robert Searles, Republic Services; Rey Rubio; Republic Services; Joe Spano, Republic Services

**Those Absent:** None

1. **Call to Order:** Jimmy McKay, Mayor, at 5:30 pm a quorum was established
2. **Invocation Led By:** Brother Ortho Noggle
3. **Pledge of Allegiance:** Led by Commissioner Blue
4. **Administration of Statement of Elected Officer/Oaths of Office/Issuance of Certificate of Election for City Commissioner Places 3 and 4.**

City Secretary Robertson-Caraway administered the Statement of Elected Officer & Oath of Office to David Wimberley and Tom Cyprian and presented them with their Certificate of Election for City Commissioner Places 3 and 4.

5. **Consider approval of minutes of the May 2<sup>nd</sup> & May 16<sup>th</sup>, 2017 City Commission Meetings**

Commissioner Wimberley made a motion, seconded by Commissioner Cyprian, for approval of minutes of the May 2<sup>nd</sup> & May 16<sup>th</sup>, 2017 City Commission Meetings. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

6. **Citizens Presentations**

Breckenridge High School Students did a presentation on their Project with TMCN for the City Park. The students discussed their program concept upkeep & enhancements to the park. They broke it down into 5 phases:

- general clean-up: flowerbeds
- basketball courts: repainting and walking trail: solar lighting
- signs: historical; water coolers & additional exercise routine signs by equipment

- student workers up keep schedule
- final completion – presentation

They discussed their plans to get students to volunteer and the costs to be covered by donations and fund raising.

The commission and City Manager McCuiston gave feed back to the students and discussed the cities future plans for the park.

**7. Request to Move the July Meeting to Monday, July 3<sup>rd</sup> due to the 1<sup>st</sup> Tuesday being July 4<sup>th</sup>**

Commissioner Cyprian made a motion, seconded by Mayor McKay, for approval to Move the July Meeting to Monday, July 3<sup>rd</sup> due to the 1<sup>st</sup> Tuesday being July 4<sup>th</sup>. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**CONSENT AGENDA**

**ALL ITEMS LISTED BELOW ARE CONSIDERED TO BE ROUTINE BY THE CITY COMMISSION AND WILL BE ENACTED WITH ONE MOTION, THERE WILL BE NO SEPARATE DISCUSSION OF ITEMS UNLESS A COMMISSION MEMBER OR CITIZEN SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE.**

**8. Request to approve Resolution 17-14 to appoint a Mayor Pro Tem for 2017-2018.**

**9. Request to approve Departmental Reports**

Commissioner Wimberley made a motion, seconded by Commissioner Durham, to approve the Consent Agenda. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**INDIVIDUAL CONSIDERATION**

**10. Request to approve contract with Republic Services**

City Manager McCuiston reviewed the renegotiated contract covering the changes that will be included in the new contract:

- Switch from dual-axle to single-axle road trucks to reduce the damage to streets
- Reduction of rates on bulk pick-up items by reducing the frequency from monthly to quarterly
- Republic Services has requested an annual CPI increase to be capped at 3.5%
- City to begin billing the Commercial and Industrial customers
- Franchise fee to go from 2% for Residential only to 4% for Residential, Commercial & Industrial and Republic will increase rates on Commercial & Industrial by 4%

City Manager McCuiston reviewed the economic impact of the contract changes:

- Lower street maintenance costs due to smaller trucks
- Lower Residential rates to the City for Residential pick-ups providing a hedge against future increases
- No rate increase in 2017-18 to Residential with bulk pick-ups quarterly
- 4% increase to Commercial and Industrial beginning August 2017
- Increased franchise fees to the City of \$12,000

Commissioner Blue made a motion, seconded by Commissioner Durham, to approve the Contract with Republic Services. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**11. Request to approve to go out for bid on the Parks Street Project**

Sage Diller, e-HT stated we are not quite ready to bid, we are close. We have a saying at the office the last 10% is 30% of the work.

Commissioner Wimberley made a motion, seconded by Commissioner Durham, to table the request to approve to go out for bid on the Parks Street Project to the July 3<sup>rd</sup> meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**12. Request to approve additional street paving to the 2016 paving contract with Raydon for the addition of Glenwood Circle and Ridgeway Circle.**

Sage Diller, e-HT stated that Raydon is about 80% complete on the current contract. We have approached them about adding Glenwood Circle and Ridgeway Circle and they have provided costs. The additional paving will add \$110,000 and bring the current contract to \$710,000.

Mayor McKay made a motion, seconded by Commissioner Cyprian, to approve additional street paving to the 2016 paving contract with Raydon for the addition of Glenwood Circle and Ridgeway Circle. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**13. Request to approve drainage modifications to Jeannette Avenue near the intersection of Ridgeway Circle to address long standing street drainage issues in the Subdivision(s).**

Sage Diller, e-HT stated that the costs provided by Raydon for the long standing drainage issues will be \$46,000.

Commissioner Cyprian made a motion, seconded by Commissioner Durham, to approve drainage modifications to Jeannette Avenue near the intersection of Ridgeway Circle to address long standing street drainage issues in the Subdivision(s). When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

At this point Sage Diller, e-HT gave a quick update on other projects:

- US 180 project is 90% complete

- The bid out on the US 183 South project should start in about a month – City is responsible for utility relocation
- US 183 North project the City is looking into utility line relocation – City Manager McCuiston stated that our cost is 10% and the State pays 90%

Public Works Director Satterwhite at this time stated that the Water issue at the bank was the First Christian Church water tap and sewer line had a hole.

Mayor McKay inquires on blending. Colden Rich, e-HT we have done testing and sampling of Lake Daniels and Lake Hubbard and looked at the differences. Lake Daniels is higher in iron and manganese which we knew due to the taste and odor of the treated water from Lake Daniels. We are looking at doing a blend of 90% Lake Hubbard and 10% Lake Daniels blend and then step that up until we get to a point that we don't want to go any further. Everything at the Water Plant is working beautifully at this point. We have a punch list and will be looking at issuing a notice of substantial completion.

Colden Rich, e-HT the WWTP we have the go ahead to bid out and hopefully in the next couple of weeks we will have a contractor on board to begin the project.

#### **14. Request to approve Agreement with Mobilitie on Rights of Way**

City Manager McCuiston explains that the Right of Way is for two cell towers. One will be on Baylor Street adjacent to the parking lot of the newspaper. The other one will be on the West side of town on North Glen between Raydon and Sechrest. One will be 81' tall and the other will be 120' tall and is expected to improve service with all carriers.

Brian Valenzuela, Mobilitie states that the West tower should cover 13 – 15 miles. City Manager McCuiston states that there will be a \$500 permit fee for each and an annual \$500 franchise fee. Mayor McKay asks when it will begin. Brian states that construction of the towers should begin in the fall.

Commissioner Wimberley made a motion, seconded by Commissioner Cyprian, to approve Agreement with Mobilitie on Rights of Way. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

#### **15. Request to approve or take no action on Texas Gas Service items:**

##### **a. Addendum to Rules of Service**

City Secretary Robertson-Caraway states that the addendum to the rules of service is pursuant to the Code of Federal Regulations 192.383(d) a fee for the installation of an excess flow valve (EFV) to be assessed when a customer requests installation on the Customer's service line. It will be a one-time installation fee of \$400.00.

Mayor McKay made a motion, seconded by Commissioner Blue, to approve Texas Gas Service item (a) Addendum to Rules of Service. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**b. Pipeline Safety Fee Tariff (PSF)**

City Secretary Robertson-Caraway states that the PSF requires no action but will need to be known and kept on file that effective March 29, 2017, the annual one-time pipeline safety program fee is \$0.94 per meter. Each year, this rate will be recalculated (not to exceed \$1.00 per meter).

No action required or taken.

**c. Cost of Service Adjustment (COSA)**

City Secretary Robertson-Caraway states that the Texas Gas Service COSA is something that we have always followed the lead of Mineral Wells and Weatherford. I have spoken to Lance Howerton with Mineral Wells and he has been working with his people and representatives with Weatherford and they are both planning to take no action. Therefore, we are recommending that you take no action.

No action required or taken.

**16. Request to approve the TML IRP Rerate on Liability & Property Coverages**

City Secretary Robertson-Caraway explains that the TML IRP rerate on liability and property coverage reflects a 1.25% increase over the values reported in 2016/17.

Commissioner Blue made a motion, seconded by Commissioner Durham, to approve the TML IRP Rerate on Liability & Property Coverages. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

**17. City Manager Reports**

**a. City Picnic & Pool Party**

City Secretary Robertson-Caraway states that the city picnic will be held on Monday, July 17<sup>th</sup> and we hope that you all can come join us for hamburgers, hotdogs and fun activities like swimming and disc golf tournament.

**b. Trade Days Report**

City Manager McCuiston stated that we were hoping that this show was going to be a good one since it was the same weekend as the air show; however, everyone stayed out at the air show and it didn't go well for us.

**c. Aquatic Center Report**

Public Services Director Harrison passes out a handout and reviews the information:

- This is the 26<sup>th</sup> season for the pool

- Pool capacity is 150 people – after this first week we have only averaged 50 people per session. Another nearby City has a family night with one – five hour session at a \$1.00 per head.
- Each year we budget for a new filter and for the last 3 years it has not been used. This year we have taken that money and replaced half of the exterior doors and put in new toilet stall doors. After this season we have the parts for new vanities. We are looking into getting the floors professionally cleaned. The main pump and motor got new seals and bearings this year, and we have back-up motors for everything except the slide pump and motors. In the next year's budget we will paint the pool and plan some upgrades to the chlorinators.

We hope that attendance will improve. At the end of the season we will review the numbers and if they are down we will look at going to possibly one session for next year instead of having two. By doing this we will save some money on staffing and give extra time for booking parties.

**d. Grease Trap Ordinance**

Public Works Director Satterwhite the attorney is going through the information to do a grease trap ordinance. The information provided to you is from the Austin Small Business Administration. If grease is not disposed of properly and it is run into the system it settles in the lines and the WWTP and is extremely hazardous and costly to the system. This ordinance will address repeat offenders, fines for each violation, possible termination of services and provide guidelines and restraints for all. It is a lot of commercial restaurants, nursing homes; but also residential offenders. You can trace it back to the offender by the trail of settled grease and check the grease trap percentage. TCEQ is inquiring when they do the WWTP inspection. This is costly to the city and an environmental nightmare.

**e. Stephens County Appraisal District Annual Financial Report**

City Manager McCuiston this is provided to you for informational purposes.

**EXECUTIVE SESSION**

**18. City Commission will enter into Executive Session pursuant to Texas Government Code Chapter 551.074 to discuss Personnel Matters, which allows the following:**

- a. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – Discuss evaluation, continued employment and employment contract with the City Manager

**19. The City Commission will return to open session in the City Commission Chamber for possible discussion and action as a result of the Executive Session as follows:**

- a. Discussion and action as a result of the Executive Session deliberating the following:  
Statement from Mayor on City Manager Evaluation

Mayor McKay stated that City Manager McCuiston has received his annual evaluation and he did receive a very good evaluation, there were no derogatory remarks. Andy you have done a good job and keep up the good work. No action is needed.

**20. Items from the City Commission not requiring formal action.**

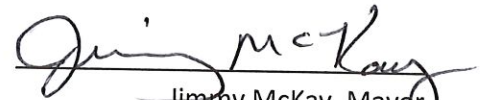
Commissioner Durham stated that he had received a call from a citizen inquiring about the flags at the cemetery for Memorial weekend. Two sections (J and K) did not have flags. Discussion ensued on who puts the flags out. City Manager McCuiston stated it is not City employees; there are other entities that do this (VFW, Rotary, etc.). Not sure who did it this year.

**21. Adjourn**

Commissioner Wimberley made a motion, seconded by Commissioner Cyprian, to adjourn the meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Cyprian, Blue, Wimberley and Durham. Nays: None. Absent: None.

Meeting adjourned at 7:18 P.M.

ATTEST

  
Jimmy McKay, Mayor

  
Heather Robertson-Caraway, City Secretary

